

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

SAN DIEGO BIKE & KAYAK TOURS, INC., a  
California corporation,

Plaintiff,

v.

LA JOLLA KAYAK & COMPANY, LLC, a  
limited liability company, LA JOLLA KAYAK,  
LLC, a California corporation; MICHAEL  
LUSCOMB, an individual; SHARON  
LUSCOMB, an individual,

Defendants.

AND RELATED COUNTERCLAIMS

CASE NO.: 07-CV-2173 L (CAB)

**ORDER GRANTING JOINT  
MOTION TO DISMISS WITH  
PREJUDICE ALL CLAIMS AND  
COUNTERCLAIMS**

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2 Pursuant to the parties' joint motion filed September 4, 2008 and Rule 41(a) of the  
3 Federal Rules of Civil Procedure, **IT IS HEREBY ORDERED** as follows: (1) the Complaint  
4 filed herein on or about November 14, 2007, and all claims asserted therein, are dismissed with  
5 prejudice; (2) the Counter-Claim filed herein on or about April 4, 2008, and all claims asserted  
6 therein, are dismissed with prejudice; (3) each party herein shall bear its own attorney's fees and  
7 costs incurred in this action; and (4) this Court shall retain jurisdiction to enforce the terms of the  
8 Settlement Agreement and adjudicate any and all disputes arising under the Settlement  
9 Agreement.

10 **IT IS SO ORDERED.**

11 Dated: September 5, 2008

12 By:



13 M. James Lorenz  
14 United States District Court Judge  
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